App F IX 4

Previous References

1947.48
(ml)

File No 40-47
Serial Nos 2, 5

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 1 to 0

Part B for

SUBJECT

Election of Mr. B. Nanjappa as Vice-President of the Sivanaballapura Municipal Council, Kolar Dt.

K 1761 dt. 30.7.48

To be considered.

Minister

194/L

Election of a Vice president to the Sravana Belagola minor municipality

From

The Dy Commr, Hassan Dist
No MLC 1727/46 47 dated 3 7 47

States that the Sravana Belagola minor municipal Council resolved on 10 1 47 to have a Vice president and in the election held in pursuance thereof Mr B Nanjappa was elected and requesting the issue of a notification appointing the election of Mr B Nanjappa as Vice pr

1) The election of the Vice prst is stated to have been held on 27 1 47 out of the five candidates who stood for the election three are stated to have withdrawn their candidature & the remaining two candidates Mr B Nanjappa is stated to have secured 7 votes and Mr K P Nagarajaiah 5 votes

4) Four members are stated to have filed an objection petition on 1 2 47 before the D C contesting the validity of the election After an enquiry held by the SDO, Hassan & the D C and also by personal enquiries made during his visit to Sravana Belagola on 26 6 47, the D C is satisfied

1941/L

that the points raised in the objection petition are untenable for the reasons explained in the Dy Commrs letter

3) The DC recommends that the notification approving the election may be issued early

4) A draft notification is put up for approval as the order may be accepted by the J.C. if no appln may be appd.

Aug 16/7/47

Rec 16/7/47

may be appd

Minister (Rev & Com)

24/7/47

Secy

OFFICE OF THE MINISTER FOR REVENUE
Rec 983
Dis 25747

TYPING SECTION
28 JULY 1947

To the Compiler, Govt Gazette
No L 1761/mle 40-47-5 Dt 28/30-7-47
notifg the election of Mr B Nanjappa
as Vice President of the Kasaragodu
municipality.
Copy to the DC, Hassan Dt

From
The D e, Hassan Dt
No mil e 1727/46-47 Dt 27-7-47
Remarks for early issue of the notification
Notification has already issued
on 30 7 47.
Seen this may be
recorded
31.7.47
Sub Dy
31/7/47

B- 4.8.47

ml 40-47-2

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 3rd July 47

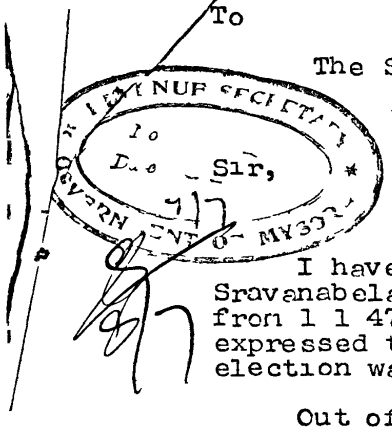
No M J C 1737/46-47
Encl 10 with original copy of notice as per permit

From

The Deputy Commissioner,
Hassan District,
Hassan

To

The Secretary to Government,
Revenue Department,
Bangalore



Sir,

Re the election of a Vice President to Sravana-belagola Minor Municipality

I have the honour to state that the Minor Municipal Council of Sravanabelagola, Channarayapatna Taluk was reconstituted with effect from 1 1 47 In their resolution dated 10 1 47 the Municipal Council expressed their desire to have an elected vice President and the election was held on 27 1 1947 for this purpose

Out of 5 candidates who contested for the office, three withdrew and ballot was taken between the two remaining candidates viz , Messrs K P Vajranabhiah and B Nanjappa They secured 5 and 7 votes respectively Mr B Nanjappa having secured the larger number of votes was declared as the elected Vice President

On 1 2 47 a petition signed by 4 Municipal Councillors was received contesting the validity of the election and the same was referred to the Sub Division Officer, Hassan for enquiry and report The result of enquiry in respect of each point raised in the contest petition is detailed below -

1 The voting paper was not in order as prescribed in rule 7 of the election rules

According to Rule 7 the voting paper should bear the seal of the Municipal Council and contain the names of all the candidates printed typed or written in English or Kannada in the prescribed form The Sub Division Officer, who has examined the voting paper has stated that there is no contravention of Rule 7 as alleged by the petitioners and that the ballot paper contained the names of Messrs K P Vajranabhiah and Nanjappa, the other candidates who were nominated having withdrawn their application before the poll commenced

2 That a person whose name is not found in the voter's list but whose name was published in the Gazette as a member has voted

This objection is vague and Mr K P Vajranabhiah one of the petitioners who was present during enquiry has not clearly explained this point The person referred to is presumed to be one Mr Hori Rangegowda His name is in the voter's list as G N Rangegowda serial No 1265 Mr Hori Rangegowda is an elected councillor and his name is notified accordingly If this elected councillor has exercised his vote, it cannot be invalid unless it is established otherwise Further no objection was taken at the commencement of the election, in this regard

3 That the party of one of the contesting candidates detained a Municipal Councillor and prevented him from voting This is not clear and the name of the councillor who was so detained has not been stated in the contest petition, nor this fact established at the time of enquiry Out of 15 councillors 13 were present during election and Messrs G A Padmarajiah and Thimmiah were absent The contest petition contains the signature of one Thimmiah perhaps the absentee This Thimmiah has given a petition to this office on 20 2 47 stating that he was absent during enquiry, that Mr K P Vajranabhiah got his signature to some blank papers, that the contest petition might have been written on a paper signed by him and that he is not aware of the contest petition This shows that he was not in favour of giving his vote to Mr Vajranabhiah even if he was present during election No evidence was adduced about the detention of a councillor and this objection cannot therefore stand

4 That the election did not commence at the appointed hour and during office hours prescribed by Government.

The special meeting for the election of the Vice President was notified to be held on 27 1 47 at 9 A M and the proceedings of the meeting have been signed by all the members No objection has been raised on this point at the meeting Further it is no-where prescribed that the meeting should be convened during office hours only

Thus the points raised in the objection petition xxxxxx are untenable.

Further, the Sub Division Officer has brought to notice that the list of candidates to the office has been published on 25 1 47 and not on 21 1 47 as per calendar of events and that there was no interval of 5 days as contemplated in rule 4 of the election Rules From the records it is seen that the draft copy of the list publishing the names of the candidates is dated 25 1 47 This was sent to the Returning Officer to explain why the calendar of events was not adhered to according to which it should have been published on 21 1 47 It is explained that the list was published on 21 1 47 alone as per Calendar and in the office copy the date is altered as 25 1 47 by the clerk The returning officer has also sent the original list published on the notice board which contains the date as 21 1 47 As no objection has been raised at the meeting by any of the members present and as this point has also not been urged in the contest petition, it has to be presumed that it was published on 21 1 47 as stated by the Returning Officer and verified with the original copy received

In the above circumstances, I request that the election of Mr B Nanjappa as Vice President may kindly be approved and notification issued

As the Municipality which is away from the Taluk xxxx head quarters is without a Vice President, the notification approving the election may kindly be caused to be issued very early

I have also enquired into the matter during my visit to Sravanabelgola on 29 6 47 and I find that the objections raised are all untenable

The corrected records are enclosed for favour of perusal and return

I have the honour to be,
Sir,
Your most obedient servant,

S Ramachandra
for Deputy Commissioner,
Hassan District
(Absent from headquarters)

EVR

Proceedings of the Deputy Commissioner,
Hassan District,

Dated, Hassan, the 22 July 1947

642
30 JUL 1947
L S G. BRANCH

The Deputy Commissioner,
Hassan District, Hassan

To
The Secretary to Government
Revenue department
Bangalore.

In inviting kind reference to this Office No C 1727/46-47 dated 3-7-1947 and ~~subsequent reminders, dated~~ regarding the subject noted below, I have the honour to request the favour of an early reply thereto As there is no vice president from a long time, I request the favour of early orders in the matter

Re election of vice president to Sravanabelagola Municipality channarayapatna Taluk

I have the honour to be,
Sir
Your most obedient servant,

Deputy Commissioner,
Hassan District

4 That the election did not commence at the appointed hour and during office hours prescribed by Government

L 1761/MI 40-47-S 30/7/47

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 16-7-47

NOTIFICATION

Under ~~Section 23 (4) of the Mysore~~ Section 10 (4) of the Mysore ~~Town Municipalities Act, 1933~~ Minor Municipalities Act, 1933 Mr B Nanjappa is elected Vice President of the Sravanabelagola minor municipal ~~Town Municipal Council~~ Council ~~Minor Municipal Council~~, Hassan District

By Order,

Secretary to Government
Law Department
Rao
16/7

To—The Compiler, Mysore Gazette for publication in Part III-3 of Gazette and supply of five copies thereof to the Secretariat and to the Deputy Commissioner of the District Concerned

MEMO NO L.1762/M.I 30/7/47

Copy to the above is forward with comliments to the Deputy Commissioner, Hassan District for information with reference to his letter No MIC 172 dated 3-7-1947 46 47

The records accompany

By Order,

For Secretary to Government
Law Department
Rao
16/7/47

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L 1761/ML 40-47-5 General and Revenue Secretariat

Dated, Bangalore 28th/30th July *1947*

NOTIFICATION

Under section 10(4) of the Mysore Minor Municipalities Act, 1933, Mr. B. Manjappa is elected Vice-President of the Sravanabelagola Minor Municipal Council, Hassan District.

By order,

for Secretary to Government,
Revenue Department.

To

The Compiler, Mysore Gazette, for publication in Part III-3 of gazette and supply of five copies thereof to the Secretariat and to the Deputy Commissioner of the District concerned.